

## **§ 13.47**

of any action to recover penalties and assessments under 31 U.S.C. 3806.

(e) The investigating officer may recommend settlement terms to the reviewing official, the authority head, or the Attorney General, as appropriate. The reviewing official may recommend settlement terms to the authority head, or the Attorney General, as appropriate.

(f) Any compromise or settlement must be in writing.

## **§ 13.47 Limitations.**

(a) The notice of hearing with respect to a claim or statement must be served in the manner specified in §13.8 within 6 years after the date on which such claim or statement is made.

(b) If the defendant fails to serve a timely answer, service of a notice under §13.10(b) shall be deemed a notice of hearing for purposes of this section.

(c) The statute of limitations may be extended by agreement of the parties.

# **PART 14—ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT**

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AUTHORITY: Federal Tort Claims Act (28 U.S.C. 2672, 2679); Government Paperwork Elimination Act sec. 161 (42 U.S.C. 2201); 28 CFR 14.11.

SOURCE: 47 FR 8983, Mar. 3, 1982, unless otherwise noted.

## **Subpart A—General**

### **§ 14.1 Scope of regulations.**

(a) The terms “Nuclear Regulatory Commission” and “NRC” as used in this part mean the agency established by section 201(a) of the Energy Reorganization Act of 1974, but do not include any contractor with the Nuclear Regulatory Commission.

(b) The regulations in this part supplement the Department of Justice's regulations in 28 CFR parts 14 and 15.

(c) These regulations apply to administrative claims under the Federal Tort Claims Act, as amended, asserted on or after the effective date of this rule, for money damages against the United States for damage to or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the NRC while acting within the scope of his or her office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(d) These regulations also set forth the procedures when lawsuits are commenced against an employee of the NRC resulting from the operation of a motor vehicle while acting within the scope of his or her employment.

### **§ 14.3 Limit on attorney fees; penalty.**

(a) An attorney may not charge or receive fees in excess of:

(1) 25 percent of any judgment rendered under 28 U.S.C. 1346(b);

(2) 25 percent of any settlement made under 28 U.S.C. 2677; or